

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**JOSE LUIS RIVERA,**

**Defendant.**

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**CASE NO. 8:11CR127**

**MEMORANDUM  
AND ORDER**

This matter is before the Court on Findings and a Recommendation (Filing No. 77) of a Magistrate Judge recommending that I accept the Defendant's plea of guilty. There are no objections to the Findings and Recommendation. Pursuant to 28 U.S.C. § 636(b)(1)(C) and NECrimR 11.2(d), the Court has conducted a de novo review of the record.

The Court notes that the Defendant faces a fine of \$10,000,000 as opposed to \$2,000,000. 21 U.S.C. § 841(a)(1).

**IT IS ORDERED:**

1. The Findings and Recommendation (Filing No. 77) are adopted;
2. The Defendant is found guilty. The plea is accepted. The Court finds that the plea of guilty is knowing, intelligent, voluntary, and that a factual basis exists for the plea;
3. I defer acceptance of any plea agreement until the time of sentencing pursuant to Federal Rule of Criminal Procedure 11(c)(3). Unless otherwise stated at the time of sentencing, any plea agreement will be deemed accepted upon the pronouncement of the judgment and sentence; and
4. This case shall proceed to sentencing.

DATED this 11<sup>th</sup> day of October, 2011.

**BY THE COURT:**

s/Laurie Smith Camp  
United States District Judge